

04/07/03 14:00

937 223 0724

KILLWORTH ET AL

001/009

FACSIMILE TRANSMISSION

To: Examiner O. Nadav
Company: Patent and Trademark Office
Fax no: 703-308-6919

From: William A. Jividen, Esq.
Our ref: MIO 0054 PA

Date: April 7, 2003

No. pages: 8 (including cover)

Trans. no: 7274

Patents, Trademarks and Related Matters

Killworth, Gottman, Hagan & Schaeff, L.L.P.

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Dayton, Ohio 45402-2023

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PETITIONS OFFICE

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X ORIGINAL WILL NOT FOLLOW

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Application of

Applicants : Chandra V. Mouli and Ceredig Roberts
Serial No. : 09/648,044
Filed : August 25, 2000
Confirm No. : 6800
Title : METHOD AND DEVICE TO REDUCE GATE-INDUCED DRAIN
LEAKAGE (GIDL) CURRENT IN THIN GATE OXIDE MOSFETs
Docket No. : MIO 0054 PA
Examiner : O. Nadav
Art Unit : 2811

#17

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of

Applicants : Chandra V. Mouli and Ceredig Roberts

Serial No. : 09/648,044

Filed : August 25, 2000

Confirm No. : 6800

Title : **METHOD AND DEVICE TO REDUCE GATE-INDUCED DRAIN
LEAKAGE (GIDL) CURRENT IN THIN GATE OXIDE MOSFETs**

Docket No. : MIO 0054 PA

Examiner : O. Nadav

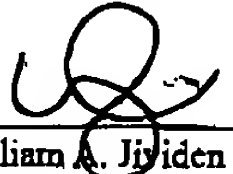
Art Unit : 2811

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PETITIONS OFFICE

Attention: Office of Petitions
Commissioner for Patents
Box DAC
Washington, D.C. 20231

CERTIFICATE OF FACSIMILE TRANSMISSION	
I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office ((703) 308-6916) on April 7, 2003.	
 William A. Jividen	42,695 Reg. No.

Sir:

PETITION FOR REVIVAL OF AN APPLICANT FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)

This petition for revival is being filed in response to the Notice of Abandonment mailed on March 27, 2003, in accordance with 37 CFR 1.137(a), and along with the petition fee as set forth in 37 CFR 1.37(l). Since the application was filed on or after June 8, 1995, no terminal disclaimer is required.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

STATEMENT

In the Notice of Abandonment, it was indicated that a final office action was mailed on April 5, 2002. However, the final office action was not received by the Applicants' representative. Applicants' representative attests to the fact that a search of the file jacket and docket records indicates that the Office communication was not received. As provided for in

Serial No.: 09/648,044
Docket No.: MIO0054PA

MPEP 711.03(c), a copy of the docket record where the non-received Office communication would have been entered had it been received and docketed is attached.

Secondary considerations substantiating the belief that the application was still pending include the following facts. Applicants' representative over this period filed supplemental information disclosures on March 26, 2002, August 5, 2002 and October 17, 2002. Applicants' representative also filed a status inquiry on October 9, 2002, requesting a communication indicating the status of this application. Such a communication was not provided. A second status inquiry was filed once again on February 7, 2003, again requesting a communication on the status of the application. With no response, the Examiner was telephoned on February 13, 2003, wherein the Examiner notified the Applicants' representative of the final office action being mailed on April 5, 2002.

In response to the telephone inquiry on February 13, 2003, the Examiner reissued the final office action dated February 24, 2003. An after final response was promptly filed on March 5, 2003. However, after receipt of Applicants' after final response, the Examiner informed the Applicants' representative that the application had gone abandoned, and that the final rejection was reissued by mistake, which was indicated in the Notice of Abandonment.

In view of the above facts, Applicants submit that the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(a) was unavoidable due to the non-receipt of the final office action mailed on April 5, 2002. Applicants respectfully request and petition the revival of this application.

Respectfully submitted,

KILLWORTH, GOTTMAN, HAGAN &
SCHAEFF, L.L.P.

By



William A. Jividen
Registration No. 42,695

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One South Main Street, Suite 500
Dayton, Ohio 45402-2023
Telephone: (937) 223-2050
Facsimile: (937) 223-0724

Country Application

04-Apr-03

Case Number: MIO0054 **Country:** US **SubCase:**
Client: Micron Technology, Inc. United States of America
Case Type: ORD **Application Status:** FINAL REJ **Area(s):**
Application Number: 09/648044 **Filing Date:** 25-Aug-200 WO
Patent Number: **Issue Date:**
Publication Number: **Publication Date:**
Tax Schedule: LE **Expiration Date:**
KGHS Ref #: PA **Tax Start Date:**
Agent: KGHS Killworth, Gottman et al
Agent Reference Number: 98-0771

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List Of Actions

Action(s) Due	Due Date	Action Taken
FIRST DRAFT DUE TO MICRON	03-Mar-2000	29-Feb-2000
FR STATUS	08-Oct-2000	22-Sep-2000
ASSIGNMENT DUE	25-Nov-2000	25-Aug-2000
Information Disclosure Stmt	25-Nov-2000	09-Nov-2000
6 Mo. Foreign Filing Reminder	25-Feb-2001	13-Feb-2001
Foreign Filing Reminder	25-Feb-2001	13-Feb-2001
RESPONSE DUE	30-Nov-2001	09-Nov-2001
Application Status Check	25-Feb-2002	31-Oct-2001
3 Month Due Date	05-Mar-2002	07-Jan-2002
DRAWINGS DUE	05-Mar-2002	07-Jan-2002
AMENDMENT FEE DUE	13-Mar-2002	22-Feb-2002
SUPPL IDS DUE	31-Oct-2002	05-Aug-2002
PETITION TO REVIVE DUE	07-Apr-2003	
3 Month Due Date	24-May-2003	05-Mar-2003
NOTICE OF APPEAL DUE	24-May-2003	
1st Extension	24-Jun-2003	Reminder
2nd Extension	24-Jul-2003	Reminder
6 Month Final Date	24-Aug-2003	Final

Remarks: CONF. NUMBER 6800

(PA): LARGE ENTITY

Country Application

04-Apr-03

OPEN NEW FILE 2-16-99

APPLN. SENT TO CLIENT FOR REVIEW VIA FED EX 2-29-00

APPLN; FORMAL PAPERS TO CLIENT FOR EXECUTION 6/26/00

APPLN., INFORMAL DRAWINGS, DECLARATION & POA,
ASSIGNMENT SENT TO PTO VIA EXPRESS MAIL 8-25-00

FR FROM PTO 9-22-00

NOTICE OF RECORDATION FROM PTO 11-1-00 / RECORDATION
DATE OF 8-25-00 ON REEL 011054/FRAME 0125

ORIG. ASSIGNMENT TO CLIENT 11-7-00

IDS TO PTO 11-9-00

6 MONTH FOREIGN FILING INQ. TO CLIENT 2-13-01

RESTR REQ FROM PTO 11-5-01

RESPONSE FAXED TO PTO 11-9-01

OA FROM PTO 12-10-01

AMENDMENT & FORMAL DRAWINGS TO PTO 1-7-02

COMMUNICATION FROM PTO RE INFORMALITY OF PAYMENT OF
FEE 2/19/02

RESP OT OA FAXED TO PTO 2-22-02

SUPPL IDS TO PTO 3-26-02

SUPPL IDS TO PTO 8-5-02

STATUS INQ TO PTO 10-9-02

SUPPL IDS TO PTO 10-17-02

STATUS INQ TO PTO 2-7-03

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KILLWORTH ET AL

006/009

Country Application

04-Apr-03

OFFICIAL COMMUN TO PTO VIA FAX RE STATUS 2-13-03

FINAL REJECTION FROM PTO 2-28-03

AMENDMENT TO PTO VIA FAX 3-5-03

User ID: lai

Date Created: 17-Feb-1999

Last Update: 06-Mar-2003

PTO/SB/17 (01-03)

Approved for use through 04/30/2003, OMB 0851-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL
for FY 2003**

Effective 01/01/2003, Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$)**110.00****Complete if Known**

Application Number	09/648,044
Filing Date	April 7, 2003
First Named Inventor	Chandra V. Mouli
Examiner Name	O. Nadav
Art Unit	2811
Attorney Docket No.	MIO 0054 PA

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METHOD OF PAYMENT (check all that apply)☐ Check ☒ Credit card ☐ Money Order ☐ Other ☐ None☐ Deposit Account:Deposit
Account
Number
Deposit
Account
Name

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments☐ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$) 0.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims		-20** =		X		=	
Independent Claims		-3** =		X		=	
Multiple Dependent						=	

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	84	2201	42	Independent claims in excess of 3	
1203	280	2203	140	Multiple dependent claim, if not paid	
1204	84	2204	42	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$) 0.00

**or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	110.00
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Partitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**110.00****SUBMITTED BY**

(Complete if applicable)

Name (Print/Type)	William A. Jividen	Registration No. (Attorney/Agent)	42,695	Telephone	(937) 223-2050
Signature		Date	April 7, 2003		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

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KILLWORTH ET AL

009/009

PTO-2038 (02-2000)

Approved for use through 01/31/2003. OMB 0651-0043

United States Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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APR 07 2003

Credit Card Payment Form

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Please Read Instructions before Completing this Form

Credit Card Information

Credit Card Type: Visa MasterCard American Express Discover

Credit Card Account #: 4246 3118 0404 4805

Credit Card Expiration Date: 07/2004

Name as it Appears on Credit Card: KGHS

Payment Amount: \$(US Dollars): \$110.00

Signature: 

Date: April 7, 2003

Refund Policy: The Office may refund a fee paid by mistake or in excess of that required. A change of purpose after the payment of a fee will not entitle a party to a refund of such fee. The Office will not refund amounts of twenty-five dollars or less unless a refund is specifically requested, and will not notify the payor of such amounts (37 CFR 1.26). Refund of a fee paid by credit card will be via credit to the credit card account.

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Street Address 2: One South Main Street, Suite 500

City: Dayton

State: Ohio

Zip/Postal Code: 45402-2023

Country:

Daytime Phone #: (937) 223-2050

Fax #: (937) 223-0724

Request and Payment Information

Description of Request and Payment Information:

Petition for Revival of an application abandoned unavoidably

Patent Fee	Patent Maintenance Fee	Trademark Fee	Other Fee
Application No. 09/648,044	Application No.	Serial No.	IDON Customer No.
Patent No.	Patent No.	Registration No.	
Attorney Docket No. MIO 0054 PA		Identify or Describe Mark	

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